

Notice of Allowability

Application No.

10/536,673

Examiner

Charles Chow

Applicant(s)

NAPIER-CLARK, JUDITH ANNE

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/17/2007.
2. ☒ The allowed claim(s) is/are 1-5, 7, 9-13.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Detailed Action

1. This office action is for amendment received on 9/17/2007.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance:

Claims 1-5, 7, 9-13 are allowable over the prior art of record. The prior arts fail to teach the allowable features, singly, particularly, or in combination or rendering obviousness.

Applicant has amended independent claims 1, 7, 12 with allowable limitation features for the **identically configured cavities with the securing closure, on the laterally opposed side walls, for storing the cosmetic products, & a mobile phone unit is mounted on the base unit**, together with other features in the different claim, as shown in below:

The cited prior arts fail to teach the at least one, two, of said cavities in one of said laterally opposed side walls being identical to two of said cavities in the opposite laterally opposed side wall, said identical cavities having internal configurations providing a secure fit and a secure closure for the same cosmetic product case, together with,

a portable personal communications and cosmetics apparatus comprising a base unit having two laterally opposed side walls, each with a plurality of cavities therein for receiving at least two removable cases of cosmetics products and a separate mobile phone unit mounted on the base unit [in claim 1].

A portable personal communications and cosmetics apparatus comprising a base unit, a cosmetics carrier for cosmetics products comprising a tray slidable in the base unit carried by the base unit and movable relative thereto between an open position for accessing the cosmetics products and a closed position, and a separate mobile phone unit mounted on the base unit, said base unit having two laterally opposed side walls, each with a plurality of cavities therein for receiving removable cases of cosmetic products, at least one of said

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cavities in one of said laterally opposed side walls being identical to at least one of said cavities in the opposite laterally opposed side wall, said identical cavities having internal configurations providing a secure fit and a secure closure for the same cosmetic product case [in claim 7].

A portable personal communications and cosmetics apparatus comprising a case, and a separate mobile phone unit non-detachably mounted in said case, said case having a back coextensive in length and width with said unit,

said apparatus having a recess separating the phone unit from the back of the case, and a cosmetics carrier for cosmetics products comprising a tray slidable in the hollow recess of the case and movable relative thereto between an open position for accessing the cosmetics products and a closed position, said case having two laterally opposed side walls,

each with a plurality of cavities therein for receiving further removable cosmetic products, at least one of said cavities in each wall being identical to one of the cavities in the opposite wall, said identical cavities having internal configurations providing a secure fit and a secure closure for the same cosmetic product case [in claim 12].

The dependent claims are also allowable due to their dependency upon the allowable independent claims above and the having additional claimed features.

The closest prior art, **Carlino [US 2003/0000,865 A1]** teaches a cellular telephone 14 with cosmetic products stored in the cosmetics apparatus 10, [Fig. 1-Fig. 1B], which is sliding mounted onto the base of cosmetic case 12, via opening channel 26 & member 22 [Fig. 1/Fig. 1A, paragraph 0023-0025], but fails to teach the at least one of said cavities in one of said laterally opposed side walls being identical to at least one, two, of said cavities in the opposite laterally opposed side wall, said identical cavities having internal configurations

providing a secure fit and a secure closure for the same cosmetic product case; the slidable tray; the said case having a back coextensive in length and width with said unit.

Goldring [US 6,796,431 B1] teaches the low storage means having cavities 6a to 6d, the opposing cavities 6e to 6h, on the two laterally opposed side walls 81, 8b [col. 5, line 51 to col. 6, line 6 & col. 7, lines 41-48 , Fig. 5/Fig. 4, Fig. 1/Fig. 2], but fails to teach the limitation features missed by Carlino above.

Kazuko [JP 2002-119,159] teaches a portable telephone has the cavities/holes, 6a to 6d on one side wall having removable cartridge 60 for storing the cosmetic products [drawings 1-4 & its related description in the specification], but fails to teach the above allowable features.

Other prior arts in below are also considered, but they fail to teach the above allowable features.

Wu [US 6,363,947 B1] teaches a drawer 40 sliding in the base between open & closed positions [col. 2, lines 24-32, abstract, Fig. 2, Fig. 9], for accessing stored multiple cosmetic products from a movable drawer.

Bien [US 6,311,077 B1] teaches the cosmetic products 24, 28 of a cellular telephone 10 [Fig. 1 & its corresponding description in the specification, abstract].

Watanabe [US 6,788,919 B2] teaches the cellular telephone having cosmetic products in the housing [Fig. 1, Fig. 6-13, Fig. 10-24 & its corresponding description in the specification, abstract].

Tsitsiashvili [US 7,146,184 B1] teaches slide 20, with cosmetic material therein [Fig. 7 & its corresponding description in the specification, abstract].

Other prior arts are also considered. They are: **Robertson [US 7,079,875 B2]**, **Endo et al. [US 7,054,668 B2]**, **Holmes et al. [US 2006/0042,971 A1]**, **Kim [US 2003/0096,582**


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A1], Flax [US 3,441,033], Schefer [US 4,826,014], Rodriguez [US 4,932,547], Lombardi [US 5,163,457], Lai [US 5,337,890], Montoli [US 5,638,839].


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles C. Chow whose telephone number is (571) 272-7889. The examiner can normally be reached on 8:00am-5:30pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles Chow 

September 21, 2007.


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